

# Boston Morning Post.

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VOLUME X. NO. 75.

DEMOCRATIC NOMINATIONS.  
FOR PRESIDENT,  
**MARTIN VAN BUREN.**  
FOR VICE PRESIDENT,  
**RICHARD M. JOHNSON.**

MR WILLIAMS, THE OCULIST.  
To the Editor of the Morning Post.  
SIR,—Agreeably to my promise, I beg leave to place before the public an exact copy of a letter from J. Howard Esq. of Providence, to Dr Samuel Howe, of Boston. Also to acquaint them that I have placed into your hands for their inspection, but which I confide to your especial care, four diplomas, constituting me during the past 21 years, honorary Oculist to the only three Kings who have reigned in France, since the Emperor Napoleon, and one from and signed by his Majesty, the King of the BELGIANS. Also my PATENTS from the French Government for several years past, by which I am Oculist by AUTHORITY, even supposing I had not any authority from His Majesty, the King of the French. Also, one of the original Placards, printed and placed against the walls of every city I visited, during the last twelve months, proving thereby, that I not only practised publicly as an Oculist, but that the authorities always published my arrival in their cities, on large printed bills, encouraging both the rich and the poor to consult me.

That from the city of Bordeaux, is dated 17th September, 1835.

That from the city of Agen, which placards Mr Howard saw on the walls of the city, is dated 1st Sept., 1835.

That from the city of Montauban, dated 10th August, 1835.

That from the city of Marseilles, is dated 2d May, 1835.

That from the city of Nismes, is dated 9th March, 1835.

That from the City of St Stephens, is 17th Dec. 1834. That from the City of Lyons 17th Dec. 1833, and each signed by the chief magistrate of every City, from whom I have received letters more than your patience would allow you to examine. But the most important document is to come—which I also place into your charge, proving that the poor Quack Doctors of the City of Rouen, who in the year 1829 felt so great a sympathy and fellow feeling, in consequence of my having more or less restored to sight, two hundred and eighty poor Persons. In 1833, when I made my second visit, and after I had restored great numbers to sight, from humane motives brought an action against me, in which they completely failed, although they were backed by the uncle of one of the most celebrated of the Quack Doctors who had been previously raised to the dignity of the Attorney General for the City of Rouen; whose tender feelings were also so much hurt, by my cruelty in doing so much good, especially to the poor, that every nerve was stretched by Quack Doctors, and Quack Lawyers in vain!

As will appear by an original document of my Acquittal by the Royal Court of Rouen, and even without any expense. If the Transcript will put on its spectacles and condescend to call at your office, and will, like other Quacks, cause a plaster to appear in the Transcript of this evening, as large as the wound of his fiery serpent of last night, I will not commence an action against him, as I well know he is not the Hugo, but his tool. Yet I know the writer of the Libel, and do now propose to make a bet of one hundred dollars or more, which I will place into your hands, as soon as the challenge is accepted, that I (by the blessing of God,) will restore to sight and Hearing, MORE MEN, WOMEN AND CHILDREN than ALL the Quack Doctors of Boston united together, provided they prove that their cures are performed without the aid of any Surgical operation whatever; as I will do on my side of the question. An old man whom I thought a few weeks since to be incurably blind, and a child also in the same state, are amongst the MANY who this day round the tender feelings of the Quack Doctors, by beginning to see, and who are resolved to put a stop to such abominations as I am guilty of every day. For this reason they united under the firm of the 37 ASSOCIATES, but I know them, and value them as much as I do the fifth wheel of a coach. Finally, the time is now come, when the noble Bostonians, like the Boreas of old, are called upon to go to the Morning Post office with a French gentleman or an American who can read French, (but not an HUGO, &c., who would be happy to destroy the authorities to which I refer,) more especially it is the duty of the civil powers of this city to investigate by such competent persons the truth to the foundation, on purpose, publicly and promptly, to convict the guilty and to honor the innocent, whoever he may be.

I have the honor to be Sir, Yours, &c., in great haste,  
JOHN WILLIAMS, Oculist.

Boston, Feb. 25, 1836.  
An exact Copy of a Letter from Mr Joseph Howard, Esq. of Providence, U. S. dated Agen, France, Sept. 9, 1835.

Dear Sir—I have met here, where I remain a short time for my health, Mr Williams, Oculist to Louis Phillip and the two preceding kings of France, of whom I had never previously heard, but the official documents which he has shown me from the municipal authorities in France and Belgium, (and which you will also see,) present such a mass of powerful evidence and such a number of well attested and almost miraculous cures of various descriptions of diseases of the eye, from mere weakness to total blindness, either from birth or by accident, and from those who have been blind for a short time only to those who have been thus afflicted for half a century, that I cannot but think him worthy of that confidence which by those cures he appears to have so generally inspired.

In this view of the case, I think I am serving the cause of humanity essentially, when I mentioned to him the probability of success, and the great field for doing good, which naturally presents themselves to one conversant with our country—his benevolence and gratuitous aid to the poor are additional reasons for wishing him to go there.

\* One of whom had been blind forty-four years, (I refer to the second column, and second page of my Journal, and to the Advocate of the 9th January last;) for a proof of my unparadonable crime, see a letter written by the sister of Rose Desforge, which, neither the Quack Doctors of Rouen nor their brethren of Boston will ever forgive. No matter. It is such a crime that I hope every Clergyman in this City would be happy to pronounce my pardon in the event of my restoring to sight a poor man of this State, who has been blind nearly sixty years, whom I hope to restore to sight.

† This document proves that the Transcript is in great error, and the writer of the article a false accuser, who will make him repent in dust and ashes.

‡ J. W. Any more than the Quack did when our Lord restored to sight a blind man, read 9th chap. St. John, how very humane they were!!!

If he should conclude to go, I have advised him to proceed to Boston and deliver this letter to you, and procure from you an introduction to the Trustees of your Institution, to the poor inmates of which, as well as to all other poor, he proposes to give his aid gratis. I have told him that I feel almost sure that the Trustees and yourself will receive his offer with gratitude, and provide him with accommodations in the Institution whilst he is treating the pupils, as they will require constant attention, and his age will not admit his residing elsewhere, and visiting either them or his other patients.

If he makes up his mind to go, I shall be much gratified, as it will be a source of happiness to me to think that I have been, even indirectly, instrumental in ameliorating the sufferings of any fellow creature.

I am truly yours,  
J. HOWARD.  
To Doct S. G. Howe, Supt. of the Institution for the Blind, Boston.

Another to the Hon. Cornelius Lawrence, Mayor of the city of New York, dated Agen, France, 10th Sept. 1835.

Dear Sir—I have accidentally found here Mr Williams, Oculist to Louis Phillip and the two preceding kings of France, and the documents from the municipal authorities show such numerous and wonderful cures of diseases of the eyes, that I feel anxious that my countrymen and especially those who are poor and others afflicted, should have the benefit of his assistance.

Those cases include from mere weakness of the eyes, to total blindness from birth, or by accident, and from a short time to half a century; but as he will show you some of his original documents, (for your patience would scarcely allow you to read them all,) you will see for yourself.

Mr W. is so well known in France, that upon his arrival in many towns, the Mayor issues proclamations inviting the poor to come and take advantage of his presence and assistance, which, with uncommon liberality and benevolence, he gives them gratis.

I have taken the liberty to give him this letter to you, as, apart from the influence which your official situation gives you. I feel assured that you will take the greatest pleasure in serving the cause of humanity, by making known the arrival of Mr W. in such a way as you may judge most advisable.

Respectfully, your ob't serv't.  
JOSEPH HOWARD.

Mr Jos. Howard has given me many other letters to his friends, that I may be encouraged by them to remain, and do good to your poor.

New York, Dec. 24, 1835.

Dear Sir—A very serious accident, which happened to me on Tuesday week, the day after my arrival, when I fell from my feet, which has since almost constantly confined me to my bed. I feel getting better; but the wounds on my face and head are still painful—yet the sight of my left eye, which I lost, I have been so fortunate as to restore. The season is now so severe, that I presume the boats will not go to Providence. I shall await here your answer to this scrawl, as I am too ill, from the effects of a long sea sickness and subsequent accident, to say more than that, as I am so foolish as to have been persuaded by your friend to make a sacrifice of all my comforts for the sake of your poor, yet I will, if encouraged by you and your trustees, set out for Boston as soon as my health will permit, and do all I can for you and your poor, gratis.

Yours respectfully,  
J. WILLIAMS.  
Care of Mr John Barnham, No 17 John Street, New York.

New York, Thursday afternoon, 24th Dec. '35.

Dear Sir—Since writing the above, I expressed my idea of preparing to return to Europe, when another young American, feeling as your dear friend Joseph Howard, advises me to wait a little, in order to observe the openings of Providence. I have the honor to send you my books and a few printed papers in French, as of late years I have principally been in France.

In the hope to hear from you soon, I remain, sir, in the cause of humanity.

Yours respectfully,  
J. WILLIAMS.

REMONSTRANCE AGAINST THE PETITION OF WILLIAM VANS.

To the Honorable the Senate and House of Representatives in General Court assembled, for the year of our Lord eighteen hundred and thirty-six.

THE Executive and Heirs of John Codman, formerly of Boston, in the County of Suffolk, merchant, deceased, respectfully remonstrate against the perpetual petition of William Vans, which prays that certain statutes for the limitation of suits at law in this Commonwealth may be so far suspended, or dispensed with, in his favor only, that he may be permitted to sue for a large sum of money, which he falsely alleges to have been due to him from the said John Codman upwards of thirty-six years ago.

A Petition of similar import was presented by the said Vans as early as the year eighteen hundred and ten, and has been presented with obstinate perseverance to most of the Legislatures which have been assembled from that year to this. The evidence relating to this claim has been examined again and again by respectable Committees, composed of different parties and various classes of our fellow citizens, and has always led to one uniform result, namely, the unanimous conviction of every Committee making such examination, that the said Vans has not and never had any ground of claim, legal or equitable, against the said John Codman, or his estate. No Committee, nor any said John Codman, after hearing the whole case, has ever reported a different conclusion. These are undeniable facts—since they appear from the Journals and Files of your honorably supposed to constitute exceptions to the evidence of the foregoing statement, it will be seen by those records, proceeded from Committees who acted without notice to the Respondents, and of course without any examination of the evidence which they possess, or any opportunity afforded them of pointing out the fallacies and falsehoods of the representations and supposed proofs exhibited by said Vans.

Long before any question had arisen respecting your constitutional power to grant such special dispensations from the general and standing laws of the land, of course before any decision of the Supreme Judicial Court against it, and long before the claim of said Vans, if any there were, had long been extinguished by his own free and voluntary release, purchased for the sake of peace, upon a valuable consideration paid, with an assurance on his part that the relatives of John Codman should never be troubled by him more, long before the existence of these or any other peculiar impediment to the granting of his Petition, when the whole inquiry was whether he had or had not any real and just cause of claim on this estate, three successive Committees, after full investigation, reported that he had not, and three successive Legislatures accepted those reports. Frequent renewals of his Petition were followed by uniform permission to withdraw, without any examination of evidence in possession of the Respondent, or any new hearing of the defence. An impression, however, began to grow up, from the constant hearing of one side only, that the Petitioner had some equitable ground of claim, notwithstanding many legal obstacles to grant the Petition. And this impression began at last to exhibit itself in the votes of the Legislature. In consequence, a new examination of the whole evidence was had in 1833, before a Special Committee of the House of Representatives, who went into that extensive inquiry at the request of the Respondents,

and reported, as their predecessors had done twenty years before, that the claim was totally unfounded. Mr Vans nevertheless renewed his Petition in 1834, alleging as a cause for doing so numerous specified errors in the Report of the Committee of 1833. No final action was had on this Petition in 1834; but having been referred to the next Legislature, in 1835 it was committed to another Special Committee of the House, which Committee renewed this laborious investigation, under circumstances peculiarly favorable to the Petitioner. It may be safely stated that all the members of the Committee of 1835 were selected for that duty by the request or on the suggestion of the Petitioner himself, or his counsel, or some of his friends. The Committee, however, being personally friends, not even acquaintances, of any one of the individuals interested to oppose the Petition. The members of the late Committee themselves, if inquired of, will doubtless corroborate these statements.

Before this Committee no obstruction was presented by the Respondent to the most unlimited range of inquiry; no technical ground of defence was set up; no exception was taken to the competency of any thing offered by the Petitioner as proof. On the contrary, it was expressly and voluntarily proposed and agreed at the outset in behalf of the Respondent, that Mr Vans might exhibit to the Committee any thing which he or his counsel might consider calculated to aid his cause, whether in the shape of legal evidence or not, and with or without the customary forms of authentication. All the account-books, letter-books and correspondence of the house of J. & R. Codman, and of John Codman himself, having the remotest connection with the subject of inquiry, were produced, and thrown open to the inspection of the Committee, and of the adverse party; and every document in the possession of the Respondent called for by the Petitioner was promptly produced. In short "every facility," as the Report of that Committee expressly states, "was given by the Respondent to the fullest and most searching inquiry into every circumstance connected with the origin of Mr Vans's alleged claim upon him."

After such an investigation the Committee of 1835 found and reported that there was no material error in the Report of the Committee of 1833; and that the Petitioner never had any just claim or demand against the firm of John and Richard Codman, or against John Codman individually, but on the contrary that he himself was indebted to John Codman; that his claims against Richard Codman, on which he had recovered judgments in France, man, in part if not wholly satisfied; that Richard Codman had been discharged under the Bankrupt law of the United States from all remaining claims if any there were; that the Petitioner was within the Commonwealth of Massachusetts, and under no legal incapacity to sue, for a long time before any claim which he might have had still remaining on the estate of Richard Codman had been barred by any Statute of Limitations, and showed no reason why suit was not brought; and finally that the Petitioner had voluntarily and on his own proposal released of all consideration executed a full and sufficient release of the estate claims whatsoever, if any there were, against the estate of John Codman, and of Richard Codman. The two Reports of 1833 and 1835 being on the Legislative files are hereby respectfully referred to.

It cannot be pretended therefore that this subject has not been sufficiently examined to satisfy the mind of any reasonable man who is capable of being satisfied by any thing short of examining the whole evidence for himself. Those who, if they have taken the pains to read, are yet not satisfied with so many unanimous reports, and none to the contrary where the Respondent was heard, will be no more satisfied after another Committee shall have so reported.

These investigations have necessarily occupied the Committees which had them in charge during several entire weeks; they have been attended with great labor to the Committee, but with vastly greater labor and heavy expense both of time and money to your memorialists, who, being personally ignorant of the ancient facts on which the Petitioner pretends to found his claim, have been obliged to explore for evidence the voluminous account-books, and mouldering masses of documents accumulated in a long course of extensive commercial dealing by men who have been dead for thirty years, and to hunt up, with daily increasing difficulty, the few living witnesses who may yet be found of remote transactions, known to members at the time, and easily proved within any reasonable period after their occurrence.

William Vans however, new petitions to be heard for the FIFTEENTH TIME; and your memorialists have been told that some members of the Legislature think there should be a re-examination of the case now, and as often as it may be presented.

The repetition of this inquiry from year to year, it will at once be seen, operates as an enormous and unequal tax upon your memorialists. It must be felt by all reflecting minds to be a grievous burden, which ought not to be imposed upon any citizen unadvisedly or without just cause, and if continued to an unreasonable extent cannot fail to be pronounced by all men an intolerable oppression. It is an evil to which every other citizen may be subjected by any man who chooses to adopt the course of this Petitioner. Your memorialists therefore feel it to be a public duty, not less than their private right, to enter their solemn protest against a re-opening of this whole subject at the present session.

Why are the memorialists subjected to this interminable warfare? Upon what principle does the Legislature of Massachusetts entertain forever the same petition, founded upon the same state of facts, in a matter of private right only, and coming from a man who has not only been found again and again to have no cause for his petition, nor truth in his statements, but who has been found, by two committees at least, to have intentionally altered and mutilated an original document for the fraudulent purpose of fabricating evidence in support of his claim? What is it that he asks? Nothing less than that he should be endowed, by special legislative grant, with a peculiar privilege, not allowed to any other citizen of this Commonwealth, namely, an exemption from general laws—by which all other men, as well as himself, are debarred from maintaining suits after the lapse of certain fixed periods from the time when the defendant might first have been held to answer. This he asks in the face of that Declaration of Rights which assures us that "no man, nor corporation, or association of men, has any other title to exclusive advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public." Where are the public services of William Vans?

He asks you not only to grant him this extraordinary immunity, without consideration, but at the same time and by the same act, to deprive your memorialists, without their consent, and against their remonstrance, of a fixed right common to every citizen and subject of Massachusetts, and guaranteed to each by the very letter as well as the whole spirit of our Constitution—namely, "the right to be protected in the enjoyment of life, liberty, and property, according to standing laws."

But why, it is sometimes asked, will not your memorialists, (an Executor, a Guardian, Trustees for females covert and absentes, as well as those acting in their own right) having an honest cause, if it consent to be deprived of their constitutional rights, in order that this "venerable" petitioner may enjoy in his old age the benefits and chances of a jury trial? If there be indeed as the question suggests any chance in such a trial, it affords the best reason in the world why they should not submit to it! Is one jury more likely to judge rightly than five legislative committees? If not what possible benefit can William Vans expect from a hearing before a jury, which he has not enjoyed in numerous and most indulgent hearings before honest, intelligent and favorable committees, who were yet compelled by the truth of the case to pronounce against him,

excepting the chance that he might by a fortunate drawing, find twelve jurors capannelled together so ignorant, or so prejudiced, or so corrupt, as to give him a verdict against the truth of the case and in spite of the law and the evidence. Without such a jury his cause could never be so favorably tried in a Court of law, as it has been before these committees. The Court must necessarily be against him;—because it has already been in this, so that there can be no longer any question about them there. Instead of being permitted to introduce his own statements, and the hear say of others, and unauthenticated documents and papers of every description as he has been permitted to do before legislative committees, and to take his own time for it, he would find himself bound down to the strict rules of legal evidence, and confined to such facts as are capable of substantial proof in a trial comparatively brief and hurried. Upon such evidence as he has heretofore shown, he would be literally unable to advance a step. All he can hope for then, and all he does hope for, is an opportunity to appeal to passions and prejudices unlooked and excited by his own false and libellous publications, industriously distributed for years, with the tacit possibility that he may appeal to persons directly interested with him in his claim. For it is now matter of notoriety, proved by the depositions of respectable witnesses, that he has created and distributed to a great but unknown extent, what he calls his STOCK, being an interest in his claim, sold out in small sums to great numbers of persons, some of whom, with secret certificates in their pockets, might sit to judge the cause. This is the benefit and the chance that he hopes for a jury trial. And yet it is gravely asked why your memorialists, if they have a clear case, do not agree to a jury trial. Their answer is plain and short. Justice cannot be done by a jury otherwise than it has been by five unanimous Committees; injustice may. The remonstrants know that there is no shadow of right, or law, or equity, in the claim. Committee after Committee having examined the evidence, have uniformly and unanimously pronounced. The verdict of no jury, that ever sat, would in the judgment of your memorialists, add a feather's weight to the needless reputation of a much respected father, nor the untimely reputation of a much respected mother. It is this then a mere question of property—Whose is it properly which your memorialists have possessed for thirty years—possessed by right of inheritance—confirmed by settlements in all the usual forms of law? On such a question what call is there upon your memorialists to submit to the remotest and smallest imaginable chance in the trial of a claim which goes to more than all they possess—especially the chance that it may be tried by a JURY OF CLAIMANTS! How can they be reasonably required to abandon any sufficient and legal defence against such a claim, however numerous and strong may be the defence which are left? With what strong reason especially can they be expected to relinquish their share in the fundamental principles of our social compact, by which "the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." Feeling that they perform their part of this solemn covenant, by a just and daily observance of the laws under which they live, they claim from the whole people the performance of the covenant on their part also, and ask, not for a boon, but that they, in common with all other citizens, may find the promised security in these certain and general laws. They ask that particular legislation may not be exercised against them alone; that they may not be publicly proscribed until they shall have been guilty of some heinous crime; and that they may not be deprived, by an act of arbitrary power, of a right which can never be constitutionally taken from them—unless by some general alteration of the laws, which would take the same right, at the same time, from all other citizens of the Commonwealth.

Having heretofore repeatedly thrown open the door to free inquiry, and waived their constitutional rights for the purpose of permitting past legislatures to see, and the whole people of Massachusetts to know by the uniform result of such examinations, that there is no substantial ground in equity, for this continued persecution, of which no like example can be found in our whole history, nor in the history of any other free representative government upon earth, your memorialists now, with the utmost respect for your honorable bodies, but greater respect for the Constitution and the laws, would humbly inquire whether the Legislature of Massachusetts can rightfully and with propriety institute this inquiry anew.

They respectfully submit in this behalf that the investigation involves an inquiry judicial in its character, namely, the inquiry whether or not William Vans has a just and legal cause of action against the Executor of John Codman's will, which he might maintain but for the Statute of Limitations. For if this be not shown in the first place to the satisfaction of the Legislature the whole groundwork of the Petition fails. It is then precisely the same inquiry as would arise in a Court of Law if William Vans were now to bring his action and the Statute of Limitations were not to be pleaded, but the general issue only. No man can doubt that this would be strictly a judicial question. Can the Legislature of Massachusetts then lawfully sustain it? The 30th article of the Declaration of Rights expressly provides that the Government of this Commonwealth "shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers or either of them; to the end it may be a government of laws and not of men."

Further than this, they would respectfully suggest that the interpretation of the laws and the administration of justice are expressly delegated by the constitution to judicial tribunals created for that end. Our written constitution is a part of the law. It must therefore be interpreted by the appointed tribunals. And their interpretation must be conclusive—until the constitution shall be changed.

But the highest judicial tribunal we possess has already exercised that high function in expounding the constitution, that "the Government of this Commonwealth shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers or either of them; to the end it may be a government of laws and not of men." Further than this, they would respectfully suggest that the interpretation of the laws and the administration of justice are expressly delegated by the constitution to judicial tribunals created for that end. Our written constitution is a part of the law. It must therefore be interpreted by the appointed tribunals. And their interpretation must be conclusive—until the constitution shall be changed.

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This suit of William Vans is now instituted for the fifteenth time. In fourteen instances, at different periods, during a term of more than five and twenty years, the Legislature of Massachusetts, acting in this supposed judicial capacity, has, after full deliberation, settled the law of this PARTICULAR CASE, and adjudged that the petition was incapable of being sustained. In five instances at least, it has so adjudged upon investigation of the evidence, and expressly upon the ground that the facts set

forth in the Petition are not true. To open this investigation anew is to admit that all former judgments are, or may have been, erroneous. Thus not only impeaching the fidelity or intelligence of former legislatures, but presenting the singular spectacle of a tribunal claiming to act before examining, and in the highest Court of Judicature in the land, and yet admitting and proclaiming that its own decisions, both in matters of law and in matters of fact, are entitled to no respect whatever. A striking comment upon the inadequacy of elective and fluctuating bodies for purposes of judicial action, however respectable may be the members of which they are composed. An admirable exposition of the wisdom of our ancestors in limiting precisely the jurisdiction of the several departments of our government, and expressly prohibiting the legislative body from all exercise of judicial function! For it is the peculiar characteristic of a judicial tribunal, that the identical thing which has once been finally judged, can never be rejudged. And even in the progressive stages of judicial action towards a final judgment, new trials, and new hearings, of matters already passed upon, are never had, unless on proof of newly discovered evidence, or clear indication of palpable error in former proceedings. The great governing maxim which controls all judicial bodies is—Interest republice ut sit finis litium;—the public good demands that there should be some end of private litigation. Without this there is no security—there is no enjoyment of property—there are no fixed rights—there is no constitutional protection;—and the great end of the institution, maintenance and administration of government, which is, after securing the existence of the body politic, "to furnish the individuals who compose it with the power of enjoying, in safety and tranquillity, their natural rights and the blessings of life," fails to be accomplished.

The present petition of William Vans states no new fact, but states as fact the same matter which have been repeatedly and uniformly adjudged to be falsehoods. It does not pretend that any newly discovered evidence, never before examined, has come to his knowledge since the last trial, if such it may be called. It does not assert, as his former petition falsely did, that any particular error was committed by the last examining committee in the course of their proceedings. Your memorialists, therefore, with a deep sense of respect for past legislatures who have heretofore adjudged this matter, as well as for the present legislature who are now asked to judge it anew, humbly submit that the request of the petitioner, so presented for the fifteenth time, after five and twenty years of obstinate controversy against the declared opinions of so many preceding legislatures, is altogether unreasonable, if it be not unconstitutional; and that to require of your memorialists to prove again that the statements contained in that petition are untrue, upon the mere suggestion of the Petitioner himself that justice "denied of justice" to them; subjecting them to an expenditure of time, labor and money; which is equivalent to the imposition of heavy fines and penalties, for other offence than refusing voluntarily to put themselves out of the pale of the law which protects all other citizens, and insisting upon their constitutional and legal rights. It is, to their great injury and oppression, tolerating, sanctioning and encouraging a species of litigation absolutely without end. It affords to them the strongest reason why they should continue to insist upon their constitutional and legal rights. For if they should consent that the prayer of this petition should be granted, and should afterwards prove to the satisfaction of a jury, as they have already proved to the satisfaction of so many legislative committees, that William Vans's asserted grounds of claim are utterly false and unfounded, he would still have the same power and the same will that he now has to petition the Legislature anew; the Legislature would have the same right and the same power to provide by special enactment that the former judgment against him should be no bar to a new suit, that it now has to enact that he alone of all men shall not be barred by general Statutes of Limitation;—the same means might be employed with the same effect to produce a popular impression that his claim was a just one, notwithstanding he had once failed to establish it by judicial proof;—the Legislature might then, as well as now, entertain his prayer for relief, and so far as the preservation of the sacred right of petition is concerned, would be under the same obligation to do so;—your memorialists would again be called upon to show cause why the prayer of William Vans's Petition should not be granted, and would then be presented where they are now—involved in a controversy endless and remediless, so long as the Legislature shall choose to institute such inquiries into matters of more private right, and to favor one man beyond all others, with a view to the passing of a law which when passed stands already adjudged to be a nullity and worse—an unconstitutional blot upon the Statute Books. While therefore they hold themselves ready, as they have ever done, to prove anew, if they shall be required and notified to do so, that the facts stated in William Vans's Petition are untrue, and that he has not, and never had any just cause of action, at law or in equity, against John Codman, or his estate;—they respectfully deny the constitutional power of the Legislature of Massachusetts to grant the prayer of that Petition; they respectfully question its constitutional power to institute an enquiry into the truth of the statements which that Petition contains—relating as they do, to a private controversy between adverse parties touching a right of property, which is settled by the STANDING LAWS; they respectfully claim to be protected in their possessions by the same general and standing law which protect other men in theirs; they respectfully remonstrate against a perpetual legislative litigation of this right, and most especially, against this new species of compulsory process, by which, on pain of being subjected to such litigation forever, with all the losses, anxieties and expenses consequent thereon, they are required to adopt the alternative of abandoning ONE ground of LEGAL defence against an unjust claim, and of submitting to be deprived of their constitutional right to set up ANY and EVERY ground of defence which is permitted by the general laws of the land; and finally they submit that they ought now to be relieved from the further continuance of this oppressive burden, and that the perpetual petition of said Vans ought to be rejected without further hearing. As in duty bound will ever pray.

STEPHEN CODMAN, Executor.  
JOHN CODMAN.  
CHARLES R. CODMAN.  
C. R. CODMAN, Guardian of Geo. Codman.  
HENRY CODMAN, Trustee for Catherine M. wife of John R. Hurd, of New York.  
HENRY CODMAN, Trustee for Elizabeth Codman.  
HENRY CODMAN, Trustee for Mary Ann, wife of Wm. Ropes, of St. Petersburg.  
FRANCIS CODMAN. [Feb 22]

NOTICE.—SAMUEL WALES, & Co. having this day removed with themselves, Messrs T. H. WILLIAMS and A. N. MOORE, the wholesale Dry Goods Business, will be continued by the subscribers under the same firm at No 49 Kilby street.

Boston, 4th Jan, 1836.  
S. WALES,  
T. H. WILLIAMS,  
A. N. MOORE.

A GOOD CHANCE FOR A GOOD PRINTER with a small capital.—A young man, acquainted with the printing business, having a small capital, and wishing to invest it in a large and lucrative newspaper establishment, may hear of one of the largest towns in this Commonwealth, may hear of an opportunity to suit him by applying at the Office of the Morning Post.

FRESH BASS.—S. RICH has received at his Fish market, corner of Milk and Vernon streets, a good supply of fresh Bass, which article has been scarce in this market this winter, and he requests any one that desires a first rate fish to call at his market so on.

PURE WINTER AND FALL STRAINED PURE OIL, for family use—put up in tin canisters, and sent to any part of the city free of expense, by WILLIAM B. OLIVER, No 12 Union st.

GROSS Jones's American Lucifer Matches—50 sale by the sole Agents, ROGERS, DEVENS & CO, 5 and 6 Granite whf.



FRIDAY, FEBRUARY 26, 1836.

**Errata.**—In the article on the Law of Label in yesterday's issue, "Provision law of 1792" read "Provision law of 1692."

The following article from the Washington Globe shows how unjust and uncovered has been the reproach heaped upon the Postmaster General by the opposition. His friends may safely leave his acts to combat the misrepresentations of his enemies:—

**Post Office Department.**—The Postmaster General reported the old debt of the Department on the 1st December last, at about \$476,077

We learn, that of this debt, there had been paid, prior to the first of the present month 167,389

Leaving of the old debt about \$299,688 Of the \$205,000 reported as due to banks on the first of December, \$100,000 have been paid.

After making these payments, the Department had in bank, on the first of the present month, \$88,294, being \$14,605 more than the sum on hand on the first of December last.

No doubt is now entertained that the entire bank debt, and as much of the other arrearages as may be presented, will be paid off in April next, and leave the Department a balance on hand of near \$100,000.

The number of Post Offices existing on the 1st July, 1835, was reported by the Postmaster General at \$10,770. The number has since been increased, but probably does not now amount to \$10,900.

A quarter ended on the 31st December last, and on the 30th of January last, a period of but 30 days, \$9,530 of that quarter's accounts had been received at the Department, and the number due from offices in operation, was less than \$1,000. Of this number, upwards of \$8,000 were received within the first 20 days; and on the 6th inst. there were but about \$500 outstanding.

When it is recollected that many of the Post Offices are so remote, that their amounts, if started on the first day of January, could scarcely have reached the Department at this time, and that the season of the year is the very worst for speedy transportation of the mail, it will be conceded that the promptitude of our Postmasters, as a corps, in rendering their accounts, can scarcely be exceeded, and is worthy of the highest admiration.

The same promptitude prevails in paying over the balances due, and to that circumstance the Department is mainly indebted for its sudden recovery from deep embarrassment.

From the first of April next, the Department will resume its onward course; and if there be no relaxation in its administration, will thenceforward advance with the steady and rapid a vance of our wonderful country.

**Mr. McGrath,** Inspector of the 6th ward, in New York, was awakened on Monday night by a noise at his street door, which he discovered proceeded from a yellow man by the name of Scott, whose throat had been cut from ear to ear, by the female with whom he had cohabited, named Hetty Ann Joseph. Scott was immediately conveyed to the hospital—and Mr McGrath followed—the traces of blood to a garret in No 36 Orange street, where he found the wretch who had committed the crime, in a sound sleep. She was arrested and conveyed to Bridewell, and instead of expressing any penitence for the act, boasted of having sent her victim to hell.

**Oratorio of David.**—The Handel and Haydn Society have made preparations for the performance of this grand Sacred Dramatic Oratorio, on Sunday evening next. The whole strength of the Society will be brought into action upon the occasion, and the execution of the piece rendered superior, probably, to what it has ever before been in Boston.

Another very inviting and agreeable musical entertainment will be offered on the same evening at the Rev Mr Streeter's Meeting House, by the Society, assisted by a number of distinguished amateurs. The whole under the direction of Mr Hayden and Signor Ostinelli.

The Boston Brass Band has advertised a Concert at the Temple on Saturday evening. The celebrity of this Band, arising from its great proficiency in musical science, and the eminent skill of its members, will, no doubt, secure a numerous audience. The bill is composed of many favorite pieces, and the whole selected with excellent taste.

"There is," says Poulson's American Advertiser, "a family in Montreal, the father of which is a Frenchman, the mother a Russian, the eldest child a Maltese, the second a Silesian, the third a Spaniard, and the fourth a Canadian." This family is mixed up as bad as the opposition party—Federalists, Nollifiers, Abolitionists, National Republicans, Whigs, and so-on-and-so-forth.

The New Hampshire Federalists are in a desperate state for the want of a gubernatorial candidate to run against Mr Hill next month—they recently put the Hon. George Sullivan in nomination, but he very unceremoniously declined the honor. Mr Hill will walk over the course and be elected by ten thousand majority, without troubling himself to roll up his sleeves or unbutton his surtout.

It is a long time since we have heard any thing of Judge White as a candidate for the Presidency—we suspect he and General Harrison have formed a co-partnership for the purpose of improving the fisheries near the head waters of Salt River—they will catch two tom-cods to one vote.

**Latest News from Philadelphia.**—A man has had his leg broken by a hog that ran against him, and the friends of General Harrison have eaten their last dinner together at the Adelphi.

A public dinner was tendered to the Hon. R. J. Walker, the Senator elect from Mississippi, by the citizens of Nashville, as he lately passed through that city, which he declined.

Gen. Macomb has turned dramatist, and is about to produce an American play. One of the best English dramatic writers was a General, well known in the region of Stratford.

Resolutions approving the entire course of the President in relation to France, have passed the Tennessee Senate with but one voice in the negative, and the House unanimously.

Judge Duncan, of Virginia, has been arraigned for impeachment before the Legislature of that State, on charges brought by Mr Harrison.

**A Caution.**—This is the last week in February, (says the N. Y. Herald,) leap year. Fair ones, don't let Saturday come and find your lamps untrimmed.

**Mademoiselle Celeste** is now finishing an engagement of forty nights, for which she will receive sixteen thousand dollars.

The N. Y. Spirit of the Times, the best sporting, and one of the most lively and amusing papers in the country, has come out in a new suit.

**Leon Theatre.**—The "Secret Mine," brought out on Wednesday night, is truly a grand spectacle, and in wild dramatic effect far surpasses the recent drama of Zanthé. It possesses also the rare merit of not being too long—consisting only of three acts, each of which is distinguished by its own peculiar scenic wonder. The "Mine," however, is the principal display of art and dramatic enchantment—its gemmed chasms, rocks and recesses are so real; and the horses, too, beautifully caparisoned, standing on the very verges of the precipices, the outlines of which are dimly shadowed forth by the rays of the torches which they bear on their heads, to light them through the labyrinth of the cavern, seem to be a contrivance almost beyond the reach of art, and the closing combat between mounted spearmen, and swordsmen on foot, within the mine, in a blaze of light, constitutes an appropriate and splendid finale. The perfect discipline of the horses, and the intrepidity of the riders, reflect great credit on the Equestrian Manager, Mr Buckley. Mr Ingersoll, as Araxa, played in his usual warm and manly style, and Miss Johnson, as Camilla, greatly increased the number of her admirers, as an elegant and animated figurante.

**A Compliment for Gen Jackson from Governor Everett.**—Near the close of the last session of Congress, Mr Everett said, in one of his speeches, that—

"If we work through the controversy with France, without a war, ANDREW JACKSON would call down upon his own head more glory and admiration than he received when he came fresh from the blazing lines of New Orleans."

That object has happily been gained, and the same bravery, skill and prudence, which triumphed in the field at New Orleans, has achieved no less a triumph in the Cabinet at Washington, by settling, honorably and satisfactorily, our misunderstanding with France.

A correspondent, "Colly Cibber," is very much delighted with Mr Dixon's singing. The song, "On wings that beamed in glory," Colly says was sung by Mr D. at the Tremont, the other night, in a manner that elicited immense applause.

During the investigations of the Pennsylvania Legislature, into the mysteries of Free Masonry, the existence of several other secret societies was discovered in that state. For instance, "the society of odd fellows"—"the red men"—"the ugly club"—"twelve and a half," &c.

The Bangor Advertiser speaking of the probability that Mr Van Buren will receive the Electoral vote of Massachusetts, says—"Such an event would surprise none who understand the signs of the times."

**Mrs Smith** offers a capital bill for her benefit, embracing a great variety of amusements. She is a general favorite, as the troops of admirers who will welcome her to-night will prove.

The Providence Journal is hereafter to be published by George W. Jackson, Esq.—Messrs. Miller & Paine having retired from the establishment.

**Mr Strong,** Postmaster at Amherst, has commenced an action against the editor of the Northampton Courier for a libel—damages laid at \$2,000.

The Stevedores in New York have made a strike for higher wages.

We had a little of all sorts of weather yesterday—rain, snow, wind, sunshine, &c. &c.

The citizens of Northampton propose establishing a High school for Girls.

A mine of lead ore has been discovered in Lawrence Co. New York.

**Mr Williams's Reply** to the Transcript is upon the First Page of this paper.

**A Bargain.**—An Eastern Editor says he has a first rate head ache which he wishes to swap for a farm.

**Power's Impressions of America** were to be published in Philadelphia yesterday.

**A man buried in the snow.**—A man named Taylor, a resident of Monroe in this county, was ascending the bank of Deerfield river a day or two after the recent heavy snow-storm, when a drift which he was trying to struggle through, broke away from the bank, took him off his feet, and after carrying him some distance down the declivity, left him fixed head downwards, with five or six feet of snow above him. He struggled violently to liberate himself, but ineffectually, till his strength failed him, and it seemed to him, by his own subsequent account, as if the bitterness of death were past. It so happened that his sudden disappearance was noticed by some persons who were on the hill at a quarter of a mile distance—help was procured, and after a long and fatiguing search, he was finally dug out, two hours from the time when this wintry tomb closed over him, and in a state of suspended consciousness from which he recovered slowly and with great difficulty. *Franklin Mercury.*

On Crockett's return to his constituents after his first session in Congress, a nation of them surrounded him one day and began to interrogate him about Washington. "What time do you dine at Washington, Colonel?" asked one. "Why," said he, "the common people, such as you, here, get their dinners at one o'clock, but the gentry and big bugs dine at three. As for us Representatives, we dine at four, and the aristocracy and the Senate, they don't get their victuals till five." "Well, when does the President fodder?" asked another. "Old Hickory?" exclaimed the Colonel, (attempting to appoint a time in accordance with the dignity of the station.) "Old Hickory! well if he dines before the next day I wish I may be totally."

If we must have Thirty Million Banks, like that in Pennsylvania, forced upon us by the money power, especially with the power to monopolize all merchandise, why not go the whole, and get up a Bank of sixty millions for Massachusetts to trade in all merchandise?—If Pennsylvania undertakes to regulate the currency of the Union, and other States must regulate her, and if thirty millions of sunshine is to be created by her, every State should get up a Bank of thirty or fifty millions, and see if they can't manufacture plenty of money to make paper prosperity. *Advocate.*

**Latest from Pensacola.**—A letter from Pensacola of the 9th inst., says: "We are all in arms, and fear the Creeks, who are but 150 miles from us, have risen. It is certain there has been some fighting. [The writer had heard of the affair near Columbus, probably.] Rumor talks loud. Our harbor, for the last week, has put on quite a warlike appearance. General Gaines is with us. He is going to Texas.—*Trans.*

It appears from a statement in the Advertiser, that there has been only six days since the commencement of the winter in which the train of passenger cars have not run through the whole distance between Boston and Worcester, and only eighteen days in which the whole four trips per day have not been regularly performed.

**Lunatic Hospital.**—Thomas A. Greene of New Bedford, Thomas Kennett of Worcester, Horace Mann of Boston, Emory Washburn of Worcester, and Abraham R. Thompson of Charlestown, have been appointed by the Governor and Council, to be Trustees of the State Lunatic Asylum at Worcester. *Courier.*

## MASSACHUSETTS LEGISLATURE.

**Thursday, Feb. 25.** The Warren Bridge question came before the Senate to-day, Mr B. P. Williams submitted an amendment to the bill proposed by the committee on that subject.

Mr Child presented the memorial of the proprietors of the Charles River Bridge, declaring that they cannot accept the sum named in the bill concerning Warren and Charles River Bridge, for the relinquishment of their franchise and withdrawal of the suit now pending.

Mr Child addressed the Senate upon this subject, and in conclusion, moved an amendment to the original bill, by increasing the sum to be paid the proprietors of Charles River Bridge, from 25 to 40,000; this amendment was generally opposed, but the question was not taken to-day. Mr Hudson submitted in order that the committee who have had under consideration Warren Bridge, be directed to inquire into the expediency of providing by law that the act concerning Warren Bridge, passed March 28, 1833, be continued in force through the remainder of the session of the Legislature.

In the House, Mr Leventt of Lowell, submitted an order that the committee on claims be directed to inquire whether the town of Lowell, and the other towns, whose returns were not made within the time prescribed by law, are entitled to their proportion of the last year's school fund: this motion was reported.

It was ordered on motion of Mr Brigham that the committee on the Judiciary be directed to inquire into the expediency of collecting and publishing, any, and what records and manuscripts, documents, now in the archives of this Commonwealth.

It was also ordered, on motion of Mr Leach, of Bridgewater, that the committee on the judiciary be directed to inquire into the expediency of providing by law, that no tax assessed by authority of the same grant or warrant, after the bills of the then current year shall have been committed, shall be legal, and that no tax so assessed or paid, shall entitle any person to the privilege of voting.

To the Editor of the Boston Morning Post.

**Sir.**—The recent meeting of the citizens at Faneuil Hall, for the purpose of considering the expediency of petitioning the Legislature for an alteration of the city Charter, so far as to increase the number of Aldermen from the present number, eight, to twelve, and to have them selected from, and elected by, the legal voters of each Ward, instead of being selected from the citizens at large, ought not to pass by without some comment. It is not my present purpose to consider the merits or demerits of the question, the advantages or disadvantages which would assuredly follow such a change—but rather, if possible to awaken the people to a sense of their duties, and the vindication of their most sacred rights. A day or two previous to the meeting some of the newspapers of the city had endeavored to impress upon the minds of the people that the project was gotten up for political purposes. A baser libel on the petitioners for the meeting could not have been uttered. It is true that some of the petitioners were so unfortunate, or rather I should say so fortunate, as to be in the minority in this city in regard to national politics. Now Sir, it is a well known fact to every one at all conversant with city affairs, that the dominant party of this city are free to charge others who may differ from them in opinion, with acting from other motives than those of the public good, while the affairs of the city, from the most petty, to the highest office, with some few exceptions, are completely under their control. There is but small chance of any measure succeeding, however much it may promote the public good, if it happen to originate with the minority. If you speak of Reform or improvements in any of the departments of the city government, whether relating to the Fire Department, the System of Education, the Financial Operations, the Board of Aldermen, or of the general organization of the city government, you are met at the threshold of enquiry—not with argument—but by bold assertions. You will be accused of sinister motives, of aiming a deadly blow at the beauty and harmony of existing institutions. Of introducing a Radicalism destructive to the peace and good order of society? Of acting from political motives,—and you will be put down, not by argument, but by numbers. If you speak of the general prosperity of the city, its growth, its constantly extending boundaries, its increase of population, industry and wealth, and consequently with this increase the necessarily increasing wants of the people, and that the city government should be enlarged, and governed by an economical, though liberal policy—That existing abuses should be remedied, and the people better and more fairly represented, you will be told "that the affairs of the city have gone on very well, and that it is best to let well enough alone." In short, we should stand still just where our Fathers left us, while the whole world around us is going on under a liberal policy in the march of improvement. The doings of the meeting in Faneuil Hall, was but the carrying out the same principle which was exhibited in the Common Council not many weeks since. An order was offered for the appointment of a joint Committee of the two boards of the city government to consider and report on the same subject. The member who introduced the order was accused, with introducing the subject for party purposes, and this simple accusation was sufficient,—instead of referring the subject, as is usual in similar cases, to a Committee to have it investigated—it was indefinitely postponed. How was it at Faneuil Hall? The Moderator, (Mr Mayor) introduced the business of the meeting by reading the petition for the same, and calling upon the citizens to express their opinions, when a gentleman of the dominant party, "immediately" moved the indefinite postponement of the whole subject. And why? and for what purpose? It could have been for no other than that of stifling arguments upon the subject, of preventing free discussion, of carrying the vote before the friends of the proposed alteration, of all parties, should have assembled. This was obvious from the fact that a gentleman who addressed the meeting for a few moments was frequently interrupted by calls for the question.

Are the people so blind to their true interests, so dead to every sense of honor and justice? so utterly insensible to their rights. So bound up and held fast by the iron grasp of party, so ignorant and corrupt that they cannot and ought not to discuss any and every subject in which they may have and feel a deep interest. I trust not. ONE OF THE PEOPLE.

To the Editor of the Boston Morning Post:

**Sir**—I saw in your paper of Tuesday a Remonstrance, signed by the whole Codman family, which does not contain a line of truth, but is a condensation of falsehoods that were published in the papers of the year 1835, by W. H. Gardner, their Attorney. This Remonstrance is meant to forestall public opinion. If the Remonstrance be true, why not go into court and prove it—a judicial case, before a jury of twelve men? This would save the great expense this family complains of being put to—and send me to the State Prison for "altering and forging papers," as they say in this Remonstrance. This would put an end to this libel and continued petitioning. Feb. 24th, 1836. WM. VANS.

We understand that an arrangement has been made with Professor Silliman, by gentlemen of this city, to deliver a course of Lectures on Chemistry, at the Odeon, with extensive experiments. The course will commence early in March, and end about the middle of April.—*Daily.*

**Mad Dogs.**—Rockland county is said to be literally alive with these dangerous animals. The North River Times states that no less than twenty-five were killed in the town of Nyack last Friday. At Clarkstown, Haverstraw, and the neighboring towns, great alarm prevails.—*Albany paper.*

We learn that an elegant block of stone stores will be erected the present Spring, from the corner of Pearl-street, extending east to the block opposite Kilby-street. *Courier.*

## POLICE COURT.

**Purifying Committee.**—One good effect of the recent agitation of the black question, alias abolitionism, is that the colored gentry finding themselves taken so much notice of, and the country turned topsy turvy about them, have begun to prick up their ears, and become great sticklers for moral and social propriety; and at the very moment that the abolitionists are ardently endeavoring to do away with all distinction between the white and the black races, our colored citizens are equally on the alert to prevent such a spurious amalgamation, and have actually appointed a committee to watch over their brethren, and prosecute all irregularities, which may have a tendency to multiply the base compound generation. Accordingly

**Mrs Eliza Hall,** a white woman, but no beauty, was complained against for "cussin' and swearin," and living, as house keeper, within a prohibited degree of propinquity with Samuel White, a molasses-and-milk colored mulatto.

She was accordingly arrested, on Wednesday evening, but was so much excited with indignation, or what not, that it was deemed inadvisable to proceed with the examination till her spirits were more composed, or evaporated. For this purpose, the officer was directed to deposit her in jail, in the retired dormitories of which it was expected that her agitation would subside ere morning. She appeared unwilling to have the officer lay his hand on her, and attributing her repugnance to a natural feminine delicacy at being seen walking in the street with a constable, he withdrew a little from her side, to show his gallantry, and spare her mortification; but the first use she made of her momentary liberty was to fling herself flat on her face in the street, where she kicked, struggled, and slapped round, like a live halibut out of water. One man couldn't hold a candle to her, much less handle her, and so two attempted to shoulder her, and carry her off; but, as one of them testified, the further she went, the heavier she grew, and squirmed as strong as a young bullock. After she was landed in the jail office, she made a plunge, and flattened her nose against the railing, in consequence of which she abandoned herself to a very twisted cram in the stomach, just as other fine ladies attack themselves with the hysteres, a portable fit of which they generally carry with them, when they go to a place where their sensibilities ought, according to genteel manners, and refined notions of sympathy, to be excessively excited. In the present case, five men carried the struggling creature to her cell, on the cold stone floor of which she fell, prone and dead-like. So still and motionless did she lay extended, that the officer almost thought she was cramped, but as he bent kindly over her to assist her, she drew back her hand, and made such a swashing pass at his leg, that if it had taken effect he would have heard the bells ring fire for a week. Before morning, however, for the want of her usual stimulating dram, she actually had some sort of a stomachic constipation, and prompt applications of hot pepper and friction became necessary to keep life in her till court time.

An interesting little episode in the lady's case was the capture of her swain, Samuel White, who came to buy her off from the officer, and wouldn't take no for an answer. He pressed his suit so warmly as to press himself into jail also, and in the morning was included in the complaint with his deary, and both were charged with wantonly misbehaving themselves. As on account of the simplicity of their domestic arrangements, White must either have been more or less than mortal not to have sinned, the point was overruled by his counsel, who exhibited to the Court a certificate of publication for marriage between Mr White and Mrs Hall, and "hoped his honor would postpone further action in the case, till they had carried their bargain fully into effect." His Honor demurred to the postponement, inasmuch as being of different colors, the fond couple could not be lawfully married. To this suggestion the learned gentleman replied, that as the lady was white and the gentleman's name was also White, their marriage might not be illegal, as it would only be uniting a woman who is seen to be white to a man who is known to be White.

His honor, however, regarded the "special pleading" of the ingenious counsel as presenting a false issue, and, suspending sentence against White, he ordered Mrs Hall to take up her line of march for the House of Correction, where she is to reside three months. Sam looked real solemnly as she was led down the cellar stairs to be locked up, but as he is a sailor, the first article in whose social creed, is "in every port we find a wife," his first trip over the big waters will probably wash out all remembrance of his affianced bride.

**Query.**—Wont the lady have an action against the Commonwealth for breach of promise of marriage, when she comes out?

**Patrick Kelly** stole from Mr William Perry, with whom he worked, a number of patent nutting graters, for which he was sent to the House of Correction for three months, it being consonant to his Honor's notions of justice, that a man who steals graters, should be rewarded with the gratings.

**Law & Physic.**—The number of persons administering the law in France amounts to 32,144. Of the advocates, only 2,303 are in practice, and their average fees do not exceed 433 francs per annum. There are over 1329 hospitals, and their annual revenue exceeds ten millions of dollars.

**Mutiny at Sea.**—We learn from the N. Y. Courier & Enquirer, that on Saturday last the crew of the ship St. Clair, were apprehended, and brought before Judge Betts of the U. District Court, on a charge preferred by Capt. Albert Putnam, for a mutiny on board said ship, on the high seas, on the 28th of January last.

The report of the Superintendent of Mount Auburn shows that between the last report, in Sept., 1834, and the 31st Dec., 1835, there have been made in the Cemetery 160 interments, 22 tombs built, 38 monuments erected, 85 lots sodded and otherwise ornamented.

**A Problem to solve.**—If he that giveth to the poor, lendeth to the Lord, and is blessed, what will be his portion who taketh the little from the poor, and devoureth the substance of the Widow and the Orphan.—*Balt. Jeffersonian.*

The whole amount contributed from all sources, for the relief of the sufferers by the tornado at New Brunswick, N. J. was \$15,086.95.

The alarm of fire about 6 o'clock last evening, proceeded from the clothing store of Mr Geo. Barton, in Brattle street—damage trifling.

**MARRIED.** In this city, Rev J. W. Eaton to Miss Sarah E. Colby. In Harvard, Mr Edward Sawyer, of this city, to Miss Rebecca Fairbanks. In New Orleans, Mr Booth to Mrs Elizabeth Day, both formerly of this city.

**DIED.** In this city, 20th inst. Catharine Frances, wife of Henry Wood, 23. In Kingston, Alexander Godfrey Foster, son of widow Mary Foster, 26. In this city, on Tuesday morning, Samuel Snelling, Esq. 69.

**IMPORTATIONS.** MESSINA. Brig-Feb-400 boxes oranges—315 do lemons—50 bags walnuts—32 boxes prunes—106 bags Canary seed—15 casks cork wood—300 bags sunne—10 boxes manna—390 cutters refined, 363 boxes roll brimstone—40 boxes New sulphur—20 hhds, 15 pipes, 20 qr casks wine—100 casks old do.

## THE SOUTHERN MAIL

Arrived at 10 o'clock last evening.

**Mobs in New York.**—We learn from the Courier and Enquirer of Wednesday morning, that the peace of that city was disturbed on Tuesday, by the conduct of two disgraceful mobs, neither of which had the shadow of an excuse for their disorderly and riotous conduct, in consequence of which the business of the ship owners and merchants in the burnt district was temporarily suspended, and the life of one of the most valuable Police Officers, Mr Brink, endangered. He was injured by a blow on the head, and although alive at 11 o'clock on Tuesday evening, was not expected to recover.

The stevedores and laborers supposed as their demands for an increase of wages had been promptly met by the merchants, it arose from fear and not justice, and refused to return to their duties, or allow others to do so. They expected their employers to pledge themselves for the whole year—they of course refused, and in consequence the rioters assembled in great force, and committed, or attempted to commit, violence upon such laborers as were not willing to join them.

Captain Wait, of the ship England, determined to protect his men, loaded a brass six pounder with grape and canister, and with a pistol in each hand, kept off the rioters.

In consequence of the expressed determination of the rioters, that the packet ship United States should not be permitted to sail, orders were issued calling out the 27th Regiment of Artillery, at 8 o'clock on Thursday morning, prepared for actual service—and three thousand ball cartridges were to be issued to the regiment.

The Journal of Commerce states that the Burnt District was quiet towards night, and that several captures had been made.

**Congress.**—The President sent a message to the Senate on Monday, accompanied by the correspondence between Mr Forsyth and the British Charge, announcing the disposition of France to pay the money forthwith. Mr Clay made a speech upon the reception of the Message, in the course of which he gravely asserted that the last Message contained an ample apology to France! The Courier and Enquirer says his remarks are not calculated to add to his reputation—one thing is certain, they cannot essentially detract from it.

The President, after announcing that every thing is satisfactorily adjusted, proceeds to recommend the adoption of "such provisions that in no future time we shall be found without ample means to repel aggression, even though it may come upon us without a note of warning."

The House was not in session.

**Washington, Feb. 22.**—The Senate of Virginia has passed the Expunging Resolutions by a majority of six, and they will be presented probably to-morrow. Mr Tyler had determined to resign immediately, and will give his views, at the same time, in relation to the political state of Virginia and of the Union. Mr Leigh, I have reason to believe, has determined to retain his seat and resist the doctrine of instruction.

Mr Walker took his seat in the Senate to-day. Mr Nicholas is daily expected.—*Jour. Com.*

The U. S. Frigate Constitution arrived at Smyrna on the 21st November. The Shark arrived there a few days previous.

There is no news from the Florida War.

**SHIP NEWS.** NEW YORK, Feb. 25.—Arrived ship Washington, St Johns, PR; Pioneer, fm Pernambuco; Duncan, fm Palermo; Washington Irving, Appalachicola; Anson, Charleston; Br brig Nina, from off Honduras; brig Pavo, Man-anilla, Cuba; Spanish, Vera Cruz, Courier, Hull, Charleston; sch Pernambuco, fm Maricao; sch Orleans, fm Jamaica. Cleared ships U. States, Liverpool; Sully, Havre; Waverly, Mobile; Spy, Wilmington; Citrus, New Bedford; brig Abigail, Norfolk. CHARLESTON, Feb. 17th.—Arrived Br bark Samuel Winter, Liverpool. MOBILE, Feb. 11th.—Arrived Br brig Perseverance, James, fm Liverpool.

At Pernambuco 19th inst. Cambury, fm Boston 2. At Palermo 16th Dec. by Fair, Italian. Sailed fm Jamez 2d da since, Cartel, Smith for Boston.

Spoken 14th inst., by Casket, of Boston, with loss of sails and gear, would make first Port. 10th inst. lat 38 lon 73 22, by Frederick fm Manzanilla for Boston.

**SHIP-NEWS-BOSTON, 1836.**

**THURSDAY, February 25.—ARRIVED.** Sch Jasper, Hamilton, New York. Came out of Chatham, on Wednesday, in co with schs Compliance, Patterson, New York for Boston; Tremont, and Boston, hence for New York and Uncle Sam, do for Baltimore.

Telegraph report at sunset.—Ship and brig signaled this morning are blown off. The brig Holland, was thrown on her beam ends at 1 o'clock, PM, outside the Graves, and abandoned by the crew, who were picked up by a brig outside.—Brig Packet is ashore on Nix's Mate. Br Brig Lapwing, of Bath, remains ashore on Burnside. Nothing in sight. The Revenue Cutter and a pilot boat have gone down to secure the Holland, if possible—she has drifted out to sea.

**CLEARED.** Brig Charles Joseph, Frost, New Orleans, by J. Fairfield; Echo, Clark, Philadelphia; Dutch galleet Venelia, Kraenauer, Trinidad; R. D. Tuckers & Son; schs Victory, (Br) Best, St John, N. B.; Skinner & Debois; Adeline Colman, Jenkins, New York; Empire, Baker, do; Rambler, Tuckerman, Portsmouth; Samuel, Carver, Wareham.

The brig Token, Nickerson, hence for Alexandria, put into Norfolk 10th inst. with loss of spars, sails, rigging, &c. having been knocked down on the 14th, off Cape Cod, and abandoned. The 3-masted sch Vesper, (of Bath) Chander, from Washington, N. C. about 30th ult. for Boston, with staves, returned to W. 11th inst. leaky, having been ashore on Royal Beach.

At Matanzas, 31st ult. Penobscot, (sch) fm Bucksport, dis; August, Portsmouth, do; Canonicus, or New York, few days; Centurion, do; New Columbia, R. Island, load; Clyde, do; Emigrant, cargo sold, not commenced do; Laurel, McEllan, Lincoln, Austin and Grecon, doing nothing. Sailed, 30th Sully Ann, Merryman, for Wilmington, and Savannah, Gurney, Baltimore.

The big Baltimore, hence for Matanzas, is in the Roads. At Bermuda, no date, Alvara, Gould, fm Frankfurt, in distress.

A foreign ship arr at Aux Cayes, latter part of Jan, from Dantzic Prussia, with a large cargo of Flour, which cost only \$1 per bbl. This put a stop to all sales of American.

**SPOKEN.** Jan. 6, lat 12, S. lon 55, Ohio, Cocklin, Isle of May, 14, for Buenos Ayres; next day, was passed, a large standing S, supposed the Canton Stevenson, for Rio Janeiro. Feb. 17th, off Chincoteague, Antares, Norfolk, for Salem. Feb. 21, Ruby, hence for New York. The Pacific, for Liverpool, spoken 12th, was from Mobile.

In Tarpaun Cove, sch Caroline, Freeman, fm Cienfuegos, fm Boston.

HYANNIS, Feb. 11—In port, Boston, Tremont, Rochester, and Henry, Franklin, Boston for New York; Fairmount, Wm Roscoe, Sun, and Potomac.

**PROVINCETOWN,** Feb. 23—In port, ship John Hale, New Orleans for Portsmouth. NEW BEDFORD, Feb. 22—Arr Mary, Boston. 24th—Arr Potomac, hence. NEWBURYPORT, Feb. 24th—Arr schs Minerva and Nun, fm Boston.

NORFOLK, Feb. 16—Arr Geo Loyall Davis, Luna, Bears; Butler, Freeman, and Freeman, Perry, New York. 15th—arr Phoebe & Sully, Provincetown. Cld Stranger, McCullen, West Indies.

**WASHINGTON,** N. C. Feb 10th.—Arrived Adams, from Orleans for Portsmouth. CHARLESTON, Feb 15.—Below, Eurotas, Turner, Havana, Jan 6. [The bark fm Boston, stated to have ar, passed the bar, for Savannah, supposed the Fanny.] NEW ORLEANS, Feb 7th.—Arrived Cherokee, Woods, Parris, 16th, dis; of Bath; Havre, Jan 10, in a violent gale; Gill Bias, Bartlett, Havana, dis; Jan 10, in a violent gale; was thrown on her beam ends, and lost part of deck load; Brutus, Matagorda; Tribune, Alexandria; Teazer, Portland. In the river, Betsey, Tampico.







